

# Minutes

## Bar Harbor Town Council

December 4, 2007

- I. **CALL TO ORDER** – 7:00 P.M. – In attendance were: Councilors Ruth Eveland, Robert Garland, Paul Paradis, Ken Smith, Julia Schloss, Greg Veilleux, Robert Jordan, Jr.; and Town Manager Dana Reed.
  - A. **Excused Absence(s)** - None
- II. **APPROVAL OF MINUTES:**
  - A. *November 15, 2007 – Special Meeting*
  - B. *November 20, 2007- Regular Meeting*

Mr. Smith, with second by Mr. Paradis, moved to approve the minutes of the November 15, 2007 Special Meeting and the November 20, 2007 Regular Meeting as presented. Motion passed 7-0.
- III. **ADOPTION OF AGENDA** – Mr. Paradis, with second by Mr. Smith, moved to adopt the agenda as presented with the exception of deleting item K., changing the title of item M. to read “Economic Development Task Force”, and change the year in item P. to 2008. Motion passed 7-0.
- IV. **FINANCIAL STATEMENTS** – To be presented at the second meeting of the month.
- V. **PUBLIC HEARINGS:** (none scheduled)
- VI. **REGULAR BUSINESS:**
  - A. **Communication Technology Task Force - Possible appointment to fill one of two vacant seats which have no expiration dates.** – Mr. Paradis nominated Anthony Uliano to fill one of the two vacant seats on the Communication Technology Task Force. There were no other nominations. By a unanimous vote, the Town Council appointed Anthony Uliano to the Communication Technology Task Force.
  - B. **Curb Cut – Recommendation of the Parking & Traffic Committee for approval of Christopher Webster’s request for a curb cut at 15 School Street.** – Following a brief discussion, Mr. Paradis, with second by Mr. Garland, moved to find that the curb cut, as proposed by the application of Christopher Webster dated September 27, 2007,
    - 1. will not cause the loss of any more existing parking spaces than absolutely necessary and
    - 2. will have a net effect of creating more spaces off-street than are lost on-street, and
    - 3. to grant relief to the applicant from the Curb Cut Policy provision prohibiting parking in the front yard setback and, to approve said application for a curb cut to be located on the westerly side of School Street,

beginning at a point 13 (thirteen) feet northerly from the intersection of the westerly sideline of School Street and the northerly sideline of Cedar Avenue and extending 24 (twenty-four) feet northerly. Motion passed 7-0.

**C. Agamont Comfort Station** – *Report by the Public Works Director on the cost of construction.* – Following discussion, Mr. Jordan, with second by Mr. Veilleux, moved to endorse the project architecturally, request staff talk to the Chamber of Commerce to see if they have an interest in a presence at this location, and request the Town Manager to include this item in the FY09 Capital Improvement Program. Motion passed 7-0.

**D. Code Enforcement Officer** – *Request of the Town Manager that Captain Matt Bartlett be appointed as Deputy/Alternate Code Enforcement Officer, Alternate Plumbing Inspector and Alternate Electrical Inspector.* – Mr. Paradis, with second by Mr. Garland, moved to appoint Matt Bartlett as Deputy/Alternate Code Enforcement Officer, Alternate Plumbing Inspector and Alternate Electrical Inspector. Motion passed 7-0.

**E. Legislation** – *Request of the Planning Director for input regarding comments on draft Sensible Transportation Policy Act regulations.* – Mr. Paradis, with second by Mr. Garland, moved to direct staff to comment on the draft Sensible Transportation Policy Act regulations as outlined in the Planning Director's memo to the Town Manager dated November 27, 2007 and as articulated by the Town Planner this evening. Motion passed 7-0.

**F. 2007 Council Goals –**

1. *Request of Councilor Paradis for amendment of the goals adopted by Council on October 16.* – Following discussion, Mr. Paradis, with second by Mr. Smith, moved to revise the Bar Harbor Town Council Goals as presented in Councilor Paradis's Goal #2 revision document dated 12/4/07. Motion passed 7-0.
2. *Request of the Town Manager for formal adoption of the final document.* – Mr. Paradis, with second by Mr. Jordan, moved to adopt the Bar Harbor Town Council Vision Statement and Goals as proposed by the Town Manager in his memo to Council dated November 30, 2007 and as amended this evening. Motion passed 7-0.

**G. Priority Projects:**

1. *Request of Councilor Paradis for amendment of the priorities adopted by Council on October 16.*
2. *Request of the Town Manager for formal adoption of the final document.*

Mr. Paradis, with second by Mr. Smith, moved to adopt the FY08 Town Council Priority Projects as proposed by the Town Manager in his memo to Council dated November 30, 2007. Motion passed 7-0.

**H. Priority Projects Reports – Status reports by Department Heads.**

1. **Eden St. Sidewalk** (West Street to College) – *Public Works Director* – State surveyors have been seen in town, so there is progress.
2. **School Crossing Improvements** – *Planning Director* – The grant is not yet offered.
3. **Municipal Building Renovations** – *Finance Director* – The proposed new vault has been resolved. This week final plans and revised cost estimates were received, but we have not had the opportunity to review them.
4. **Economic Development** – *Planning Director* – Later in the agenda, Council will discuss the composition of the Economic Development Task Force. Planning Director reported that she held a couple of workshops to educate the public about economic development districts and what they are. People are discussing it. She plans to continue the education process including inviting to the Hyannis Economic Director to discuss Hyannis's experience.
5. **Assessing** – *Finance Director* – Finance Director reported and illustrated how much of the backlog in the Assessing Division has been dealt with, improved customer service, and projects that have resumed in the last 45 days.
6. **Cruise Ship Task Force** – *Planning Director* – Anne Krieg reported that the CSTF met once and will meet twice a month. Next meeting, they will discuss the schedule and priorities that were included in the Destination Study.
7. **Provide greater support for Boards & Committees** – *Town Mgr.* – Following a brief discussion, Mr. Paradis, with second by Ms. Schloss, moved to defer this item to the next Town Council agenda. Motion passed 7-0.
8. **Implementation of the Comprehensive Plan** – *Planning Director* – Planning Director reported she met with Council, discussed the schedule of priorities, and received good clear direction from the Town Council.
9. **Plan Community Forum to review form of government** – *Council Chair* – Council Chair Ruth Eveland requested the Town Manager and the Town Clerk to explore through their list servers for any municipalities that explored or made changes to their form of government in recent years. She would appreciate a contact name of those municipalities.
10. **Complete clearing of the Bluffs scenic vista and work with property owners in Hulls Cove to do the same** – *Public Works Director* – Chip Reeves reported that he and the Town Manager met with Acadia National Park representatives and agreed on the scope of work. It was estimated to be about three to four hours of work left to do. We will

need to hire a certified herbicide/pesticide applicator to treat the stumps.

- I. Council Goals** – *Status report by Town Manager.* – Reviewed earlier on the agenda.
- J. School Reorganization** – *Report by Council representative Bob Garland on the Reorganization Plan submitted to Maine Department of Education.* – Councilor Garland reported the RPC sent off their Model 4 plan to the State by the December 1<sup>st</sup> deadline. He urged all Councilors to attend the January 9<sup>th</sup> meeting at the high school. The discussion to change the funding formula is the item for the evening starting at 7:00 p.m.
- K. Assessing Backlog** – *Status report by Finance Director.* – Item deleted, discussed earlier on the agenda.
- L. Health Insurance Reimbursement Plan** – *Request of the Town Manager for annual revision of town Personnel Rules to adjust the health insurance opt-out limits.* – Mr. Paradis, with second by Mr. Veilleux, moved to adjust the maximum annual payouts under the Town's Health Reimbursement Plan as follows:

<u>Family or Couples Coverage</u>	<u>\$12,976</u>
<u>Employee with Child(ren)</u>	<u>\$ 9,439</u>
<u>Employee Coverage</u>	<u>\$ 5,785</u>
<u>Motion passed 7-0.</u>	

In addition, Mr. Paradis, with second by Ms. Schloss, moved to establish the maximum annual payouts under the Wage Stipend as follows:

<u>Family or Couples Coverage</u>	<u>\$4,325</u>
<u>Employee with Child(ren)</u>	<u>\$3,146</u>
<u>Employee Coverage</u>	<u>\$1,928</u>
<u>Motion passed 7-0.</u>	

- M. Economic Development Task Force** – *Discussion and possible action to determine task force membership.* – Following discussion, Mr. Paradis, with second by Mr. Smith, moved to use the stakeholder's group as a model for the Economic Development Task Force composition and requested staff to return to Council with ideas. Motion passed 7-0.
- N. Route 3 at 102/198** – *Report of the Town Manager on recent correspondence with the Maine Department of Transportation.* – The Town Manager reported the MDOT's response to his letter inviting them to meet with the Bar Harbor officials to discuss alternatives was; they would be meeting with all towns to review the MDOT's alternate proposals.
- O. Ethics Ordinance Training:**
  - 1. *Review of the Council action of October 2 making Ethics Ordinance Training mandatory.*
  - 2. *Review of and possible action on the questions raised in the Council Chair's November 20th report on Ethics Ordinance Training.* – Mr.

Jordan, with second by Ms. Schloss, moved that the items outlined in Council Chair Eveland's memo to the Council dated November 20, 2007 be referred to the Ethics Commission for input and recommendations. Motion passed 7-0.

**P. Council Meeting Schedule** – *Review and possible approval of the meeting schedule for 2008.* – Mr. Smith, with second by Mr. Paradis, moved to adopt the Council's schedule as submitted. Motion passed 7-0.

**Q. Treasurer's Warrant** – *Request of Treasurer to authorize paid bills.* – Mr. Paradis, with second by Mr. Smith, moved to sign the Treasurer's warrant for paid bills. Motion passed 7-0.

## **VII. COUNCIL COMMENTS AND SUGGESTIONS FOR NEXT AGENDA**

**Mr. Jordan** requested a future agenda include discussion of alternative energy in conjunction with the budget.

**Mr. Veilleux** recognized the Regional Planning Committee efforts and their dedication in meeting the State requirements for a Regional School Unit.

**Mr. Paradis** commented how nice it was to see a thank you from a resident about the good job the Highway Department did with this long storm. A job well done by Scott Wood and his entire crew, and he hoped they have a reprieve of a few days to catch up on some sleep.

**Mr. Garland** withdrew his comment how great the Town pier looks without floats sitting in the middle of the parking lot. He was informed the floats will be coming out soon and the floats will fill the pier once again.

He gave kudos to those responsible for cleaning and patching up the road to the transfer station.

**Ms. Eveland** announced free 1.5 hours workshop offered to those involved with the public to help spread the word how to prevent spreading illnesses sponsored by Healthy Acadia Coalition. During the budget process, it was suggested to consider broadcasting the information on local access channel.

## **VIII. MATTERS FOR POSSIBLE EXECUTIVE SESSION:**

**A. Town Manager's Performance Evaluation** – *(To be held in executive session as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter)* – Mr. Smith, with second by Mr. Paradis, moved to enter into executive session at 10:01 p.m., following a break, as permitted by 1 MRSA 405.6.A for discussion or consideration of a personnel matter. Motion passed 7-0. Council entered into executive session at 10:08 p.m. Council came out of executive session at 10:19 p.m.

**IX. ADJOURNMENT** – Mr. Paradis, with second by Mr. Veilleux, moved to adjourn at 10:20 p.m. Motion passed 7-0.

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Paul Paradis, Secretary